

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Erect single storey extension to south (front) elevation, erect single storey extension with balcony at first floor level to west (side) elevation and alterations to fenestration.

LOCATION: The Farmhouse Hotel, Route Des Bas Courtils, St. Saviour.

APPLICANT: Nut Tree Limited

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 23/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Limited: 7527-01/B1, /B2, /B3 & /B4.

Application Ref: FULL/2022/2128

Property Ref: E000080000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.The two trees to be removed shall not be felled until details of the replacement tree planting, including the siting, species and size of trees at the time of planting, has been submitted to and agreed in writing by the Authority.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 4, in the first planting season following the first use of the approved orangery or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 22/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.
- (4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.
- (5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2022/2128
Property Ref: E000080000
Valid date: 01/12/2022
Location: The Farmhouse Hotel Route Des Bas Courtils St. Saviour
Guernsey GY7 9YF
Proposal: Erect single storey extension to south (front) elevation, erect
single storey extension with balcony at first floor level to west
(side) elevation and alterations to fenestration.
Applicant: Nut Tree Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The two trees to be removed shall not be felled until details of the replacement tree planting, including the siting, species and size of trees at the time of planting, has been submitted to and agreed in writing by the Authority.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 4, in the first planting season following the first use of the approved orangery or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity and to help assimilate the development into its surroundings.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to erect a single storey extension to the south (front) elevation, erect a single storey extension with balcony at first floor level to the west (side) elevation and alterations to fenestration to the rear (north) elevation.

The site is within an Agriculture Priority Area and is Outside of the Centres.

Relevant History:

None

Existing Use(s):

Hotel – Visitor economy use class 7: serviced visitor accommodation

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

Policy OC8(A): Visitor Accommodation Outside of the Centres - New, Extension,
Alteration or Redevelopment of Existing Uses
GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable development

Conclusion/Brief comment:

The scale of the extensions and alterations are proportionate to the scale of the visitor accommodation use of the site and would have no adverse effects on the openness of the area. The extensions and alterations achieve a good standard of design and respect the architectural design of the existing building.

A tree survey has been submitted which sets out limitations with the retention of the 2 trees proposed to be felled beyond a short to mid-term timeframe, based on the current land use and the impact of the proposed development on the trees. To mitigate for the loss of the 2 trees, the tree survey recommends planting a Pear tree within the planter and 6 other trees (3 small leaf Lime and 3 Downy Birch) within the grounds to the rear of the hotel.

Whilst the loss of the 2 trees is unfortunate, the visual impact on the landscape character of the area would be limited by the retention of the remaining line of trees along the roadside boundary and the planting of the additional replacement trees as set out in the submitted tree survey.

The proposal would have no significant adverse effects on the landscape character and amenity of the area, in accordance with Policies OC8(A), GP1 and GP8.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 23/03/2023

